

**CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
JANUARY 15, 2014  
CITY COUNCIL CHAMBERS  
4:00 p.m.**

**COUNCILMEMBERS PRESENT**

**ABSENT**

Robert Wolfe, Mayor  
Lori Pfister, Vice Mayor  
Kirby Smith, Councilmember  
Robert Speaks, Councilmember  
Norman Hope, Councilmember

**STAFF PRESENT**

John Drury, City Administrator  
Robert Q. Williams, City Attorney  
Nancy Barnett, City Clerk  
Lori Houghton, Finance Director  
Chris Thompson, Public Works Director  
Joyce Ross, Communications Director  
Bill Neron, Economic Development Director  
Lori Tucker, Human Resources Director  
Tammey Rogers, Community Services Director  
Richard Keith, Fire Department  
Stoney Lubins, Police Chief  
Brad Hayes, Utility Director

**I. CALL TO ORDER**

Mayor Wolfe called the meeting to order at 4:00 p.m.

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Greg Watts, Liberty Baptist Church of Tavares, gave the invocation and those present recited the pledge of allegiance.

**III. APPROVAL OF AGENDA**

Mayor Wolfe reminded those present that if anyone wished to speak on an item on the agenda that they should fill out the speaker's card and bring to the City Clerk.

**MOTION**

**Norman Hope moved to approve the agenda, seconded by Robert Speaks. The motion carried unanimously 5-0.**

1  
2 **IV. APPROVAL OF MINUTES**

3  
4 **Tab 1) Approval of Minutes**

5  
6 **Robert Speaks moved to approve the City Council Minutes as written [November 1, 2013;**  
7 **November 20, 2013; December 4, 2013; and December 18, 2013], seconded by Kirby Smith.**  
8 **The motion carried unanimously 5-0.**

9  
10 **V. PROCLAMATIONS/PRESENTATIONS**

11  
12 None.

13  
14 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS**

15  
16 Attorney Williams noted the Transmittal Hearing would be handled per State Statutes but  
17 otherwise there were no other Quasi-Judicial matters.

18  
19 **VII. READING OF ALL ORDINANCES/RESOLUTIONS**

20  
21 Ms. Barnett read the following ordinances/resolution by title only:

22  
23 **ORDINANCE 2013-21**

24  
25 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING**  
26 **APROXIMATELY 36 ACRES OF PROPERTY GENERALLY LOCATED WEST OF**  
27 **NORTH EICHELBERGER ROAD, SOUTH OF LANE PARK ROAD AND**  
28 **NORTHWESTERLY OF STATE ROAD 19; FROM COUNTY RMRP AND C-1 TO**  
29 **CITY PLANNED DEVELOPMENT; SUBJECT TO THE RULES, REGULATIONS AND**  
30 **OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING**  
31 **FOR AN EFFECTIVE DATE.**

32  
33 **TRANSMITTAL HEARING**

34  
35 **ORDINANCE 2013-22**

36  
37 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**  
38 **TAVARES COMPREHENSIVE PLAN AND FUTURE LAND USE MAP 2020,**  
39 **PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON**  
40 **APPROXIMATELY 36 ACRES OF PROPERTY FROM CITY COMMERCIAL TO**  
41 **CITY MIXED USE COMMERCIAL, REMOVING AN ASSOCIATED**  
42 **COMPREHENSIVE TEXT AMENDMENT THAT RESTRICTS THE INTENSITY**  
43 **OF THE SITE AND THAT PROHIBITS ANY RESIDENTIAL USE ON THE SITE,**  
44 **FOR PROPERTY GENERALLY WEST OF NORTH EICHELBERGER ROAD,**  
45 **SOUTH OF LANE PARK ROAD AND NORTHWESTERLY OF STATE ROAD 19;**  
46 **PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR**  
47 **TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

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**RESOLUTION 2014-01**

**A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION(S) FOR PRECONSTRUCTION ACTIVITIES FOR THE STORMWATER IMPROVEMENTS IN THE DOWNTOWN CRA; AUTHORIZING THE LOAN AGREEMENT(S); ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.**

**VIII CONSENT AGENDA**

Mayor Wolfe asked if anyone in the audience opposed Tab 2 , 3 and 4 on the Consent Agenda.

**MOTION**

**Norman Hope moved to approve the Consent Agenda [Appointment to Lake County Library Advisory Board; 2014 US HydroDrag Nationals Jet Ski Event Round 1; and Use of Forfeiture Funds for Purchase of Computers], seconded by Robert Speaks. The motion carried unanimously 5-0.**

Mayor Wolfe advised those present that ordinances are read into the record only for First Reading with full discussion held at the second reading which will be at the next meeting.

**TRANSMITTAL HEARING**

**Tab 6) Ordinance #2013-22 Fisherman’s Cove Property – Large Scale Future Land Use Map Amendment for Mixed Use and Comprehensive Plan Text Amendment**

Mr. Skutt advised this hearing is for a Large Scale Future Land Use map amendment for Fisherman Cove Resort which is located on SR 19. The property was annexed in 2008. At that time a commercial future land use map designation was assigned to the property. The owners have now decided to redevelop the property as a mixed use facility having residential and commercial uses. Staff is concurrently processing a rezoning of this property and second reading is scheduled for the next City Council meeting. The State will review the property as part of this Transmittal Hearing and if approved, it will be adopted at a future council meeting. Staff has reviewed and found this amendment to be appropriate and compatible with surrounding uses in this area. The Planning & Zoning Board voted unanimously to recommend approval on December 9, 2013.

**MOTION**

1 **Robert Speaks moved for approval of transmittal of Ordinance #2013-22, seconded by**  
2 **Kirby Smith.**

3  
4 Mayor Wolfe asked if anyone in the audience wished to speak on this issue. There were no  
5 comments.

6  
7 **The motion carried unanimously 5-0..**

8  
9 **IX. ORDINANCES/RESOLUTIONS**

10  
11 **Tab 7) Resolution #2014-01 – State Revolving Fund Loan Application for CRA Stormwater**  
12 **Improvements**

13  
14 Ms. Houghton said this item is to support the application to the Florida Department of  
15 Environmental Protection for State Revolving Loan Funds in the amount of \$357,156 which  
16 includes an estimated rate of 2.45% to fund pre-construction activities for the Downtown CRA  
17 Wastewater Improvements. The estimated project is \$3,520,000. To compliment that, the city has  
18 secured three grants: one from FDEP in the amount of \$750,000; one from 319 FDEP for  
19 \$750,000; and one from the Lake County Water Authority at \$250,000.

20  
21 **MOTION**

22  
23 **Robert Speaks moved for the approval of Resolution #2014-01 authorizing the application**  
24 **and execution of a loan in the amount of \$357,156 from the State of Florida Department of**  
25 **Environmental Protection Revolving Loan Program for Point Source Water Pollution**  
26 **Control, seconded by Kirby Smith. The motion carried unanimously 5-0.**

27  
28 **X. GENERAL GOVERNMENT**

29  
30 **Tab 8) Revision to Special Events Policy**

31  
32 Mr. Neron noted the policy was adopted two years ago and that Councilmember Smith has been  
33 assisting staff with a review of the policy. He reviewed the Visioning process and the decision to  
34 encourage events downtown. He said in 2007 there were four events; this past year there were  
35 over 20 events in the city. He said Council has supported the improvement of the infrastructure  
36 and various projects in the downtown which has encouraged more events. Initially a decision was  
37 made not to charge for all the various support services in order to attract events. The review  
38 process addressed two major questions: how many events does the city desire to host at Wootton  
39 Park and does the city desire to charge for its services. The revised draft event policy has been  
40 prepared for consideration by Council with a summary of events by type and time of year along  
41 with a proposed fee schedule.

42  
43 Mr. Neron reviewed the questions that had been asked in determining the classification of events  
44 and in analyzing the amount of time to set aside for certain events and to ensure that the park is  
45 open to the public. The events were subdivided into four categories: city organized; full city  
46 supported; limited city supported; and non-city supported event with criteria outlined in the policy.

47

1 Mayor Wolfe invited T.J. Fish to speak. T.J. Fish, Chamber of Commerce Board Member stated  
2 that their board had reviewed the policy. He said the Chamber is supportive of the policy but  
3 noted there may be an unintended outcome for some of the social fabric events; i.e. Howl-o-Fest.  
4 He said Howl-o-Fest is not a money making event for the Chamber but it is a well attended family  
5 event which provides a safe place for children to trick or treat. He said it had originally been a city  
6 event that was taken over by the Chamber. Mr. Drury noted this request would move Howl-o-Fest  
7 from limited support to full city support.

8  
9 Councilmember Smith said he would have put this in full city support had he known it had  
10 originally been a city event.

11  
12 Councilmember Hope asked for clarification that this included both Trunk or Treat and Howl-o-  
13 Fest. Mr. Fish confirmed.

14  
15 Councilmember Hope stated that the Renaissance Faire is listed under full city support and it is  
16 not in the City of Tavares. Mr. Drury said it could be removed from the policy as it is not in the  
17 City of Tavares and other surrounding festivals are also not included.

18  
19 Vice Mayor Pfister asked about city support for March of Dimes. Mr. Drury responded that it  
20 would be 25% for police and fire personnel costs and for the events pad.

21  
22 Mr. Neron said the event application review will now begin in his office and then be circulated for  
23 staff review.

24  
25 **MOTION**

26  
27 **Kirby Smith moved to approve the proposed Special Events policy with the addition of**  
28 **changing the Howl-o-Fest to full city support and removing the Renaissance Faire**  
29 **completely, seconded by Norman Hope. The motion carried unanimously 5-0.**

30  
31 **Tab 9) Take Home Vehicle Policy for Police Department**

32  
33 Chief Lubins advised that on March 20, 2013 Council approved the Police Union contract which  
34 included a take home vehicle program for the department at such time as the vehicles were  
35 purchased. It stipulated that the participating Police Officers live within a 15 mile distance from  
36 the police station. The city is in the process of ordering the vehicles. Staff will bring back the  
37 award and approval of the capital lease documents for the purchase of the police vehicles at a  
38 future Council meeting.

39 As a follow-up to Council's discussions held at the Budget workshops regarding the Take Home  
40 Vehicle program, staff has researched several Lake County law enforcement agencies and  
41 determined that on average the distance allowed for take home cars is around 20 miles from the  
42 police station. As noted above, the Tavares Police Department program will be limited to 15 miles  
43 from the police station. Attached to this agenda is a spreadsheet that lists the respective agencies  
44 and their respective rules.

1 For Tavares, officers who live beyond the 15 mile limit will not be eligible for the individual vehicle  
2 assigned program. In addition, they will not be allowed to take patrol vehicles outside of Lake  
3 County.

4 Upon delivery of the vehicles, the Police Chief will issue a “General Order” that will outline  
5 permissible use of the vehicles. Attached is a sample General Order that will be similar in nature  
6 to the actual one to be released by the Chief.

7 **Discussion**

8  
9 Councilmember Speaks asked if the 15 miles was driven or “as the crow flies.” Chief Lubins  
10 answered that it is the latter. Councilmember Speaks spoke in support as he believes this is a  
11 safety deterrent in the neighborhood. Vice Mayor Pfister said her concern was the vehicle being  
12 in the county and response time. Vice Mayor Pfister said she did not have a problem with the  
13 officer not living in Lake County so long as the distance is within the 15 miles. Mr. Drury said if  
14 Council wishes to remove the criteria of living in Lake County that could be eliminated and it  
15 would still be consistent with the Union contract. Vice Mayor Pfister said she believed that should  
16 be a decision by the Chief but she would be in agreement.

17  
18 Councilmember Smith asked where the 15 miles starts. Chief Lubins said it is 15 miles from City  
19 Hall as the crow flies. Discussion followed on how far this would extend outside Lake County.

20  
21 Chief Lubins said this policy will apply to the uniformed officers driving the marked car.

22  
23 Mayor Wolfe requested that officers be dressed appropriately when they are off duty and using  
24 the vehicle. Chief Lubins said the sample General Order will address the specifics.

25  
26 **MOTION**

27  
28 **Lori Pfister moved to approve the Take Home Vehicle policy with the criteria of 15 miles**  
29 **from City Hall and not confine it [residence] to the County, seconded by Norman Hope.**  
30 **The motion carried unanimously 5-0.**

31  
32 **Tab 10) Approval of Contract for Engineering Services for Phase II for Lake Frances**  
33 **Estates Wastewater System Upgrades**

34  
35 Mr. Hayes said this is a request to approve the contract with Jones Edmunds to design the gravity  
36 sewer upgrades for Phase II of the Lake Frances Sewer Upgrades in the amount of \$115,000. Mr.  
37 Hayes reviewed the previous RFQ that was done for Phase I and the history of the system in  
38 Lake Frances. This project will cover the southern half of the community. He noted this was  
39 budgeted in last year’s budget at \$125,000.

40  
41 **MOTION**

42  
43 **Kirby Smith moved to approve the contract with Jones Edmunds to provide engineering**  
44 **assistance to the City for the design of replacement sections for the City’s existing gravity**

1 **sewer infrastructure located within the Lake Frances Estates residential development in**  
2 **the amount of \$115,000, seconded by Robert Speaks. The motion carried unanimously 5-0.**  
3

4 **Tab 11) Approval of Work Authorization for Additional Services for Phases 2 and 3 of the**  
5 **Reclaimed System**  
6

7 Mr. Hayes stated Council approved construction of Phases 2 and 3. The project was scheduled  
8 for completion in November 2013; however, the construction duration was extended for 90  
9 days based on construction change orders. This extension necessitated additional time for the  
10 engineers to review the changes to the project and continued construction administration. Phase  
11 2 and 3 was designed based on an expedited schedule in order to meet state and federal funding  
12 deadlines. In order to bring the project to completion and avoid delays this work has been  
13 completed. All of the construction change orders have been reviewed by the engineer, staff, and  
14 have been approved for funding by the government agencies. The amendment changes are in  
15 the amount of \$52,180 to complete this additional work.  
16

17 **MOTION**  
18

19 **Norman Hope moved to approve the Work Authorization for Additional Services –**  
20 **Amendment 1 for Bidding, Construction Administration, Funding Services and Resident**  
21 **Project Representative for Reclaimed Water Main Improvements Phase 2 and 3 in the**  
22 **amount of \$52,180.00], seconded by Robert Speaks. The motion carried unanimously 5-0.**  
23

24 **XI. OLD BUSINESS**  
25

26 **Purchase of Police Cars**  
27

28 Councilmember Smith asked when the vehicles would be ordered as they had been approved in  
29 the budget.  
30

31 Ms. Houghton confirmed a lease financing package will be developed for the second meeting in  
32 February. She said the budget for this item reflected estimates.  
33

34 **XII. NEW BUSINESS**  
35

36 **Local Option Gas Tax Distribution Committee**  
37

38 Mr. Drury said that this renewal is coming up this year and the city is need of a representative  
39 from Council to participate in a committee for four to six months to discuss the various options of  
40 reallocating that revenue to the municipalities in Lake County.  
41

42 Councilmember Speaks volunteered to serve on this committee. He noted he had participated on  
43 the Penny Sales Tax Committee previously.  
44

45 **XIII. AUDIENCE TO BE HEARD**  
46

1 Mr. Hayes asked for clarification on Mr. Hopes' motion on Tab 11. Mr. Hopes noted his motion  
2 was in support.

3  
4 Mayor Wolfe asked for public comment for anything not on the agenda.  
5

#### 6 **XIV. REPORTS**

##### 7 8 **Tab 14) City Administrator**

9  
10 Mr. Drury noted the MPO Dinner would be held next Wednesday at 5:30 p.m. He said and Mr.  
11 Hope would be in attendance. Congressman Webster is the keynote speaker. He said if anyone  
12 else wished to attend to contact Ms. Novack.  
13

##### 14 **City Clerk**

##### 15 16 **Human Resources**

##### 17 18 **Economic Development**

- 19  
20 • The Race boat regatta is this weekend and the following weekend is the Crappie  
21 Tournament.  
22

##### 23 **Public Works**

##### 24 25 **Utility Department**

- 26  
27 • Stormwater project on New Hampshire: the sidewalk is poured, the safety rail went up  
28 today; some landscaping is left to do. He said he will contact the State when complete so  
29 that they can clean out the canal.  
30

##### 31 **Police Department**

##### 32 33 **Community Services**

##### 34 35 **Fire Department**

36  
37 Chief Keith stated Chief Steve Lane who was hired in the 1970's as the City's first paid firefighter  
38 and was the Chief of the volunteer department for many years, recently passed away.  
39

##### 40 **Community Development**

41  
42 Ms. Rogers reported that Bradley Arnold, a Special Olympian, recently passed away and the  
43 service was held by request of his family at the Fred Stover Ball Complex. His family said Bradley  
44 loved the complex and playing baseball. She said Mr. Aldrich assisted by setting up the sound  
45 system and assisting the family.  
46

##### 47 **Finance Department**

1  
2 Ms. Houghton introduced CharLynn Wood, new Budget Analyst. Mr. Drury noted there was an  
3 interview panel and many good candidates and he is pleased that Ms. Wood selected Tavares.  
4

5 **City Attorney**

- 6  
7 • Welcomed Ms. Wood and noted the Gas Tax Committee will be challenging.  
8

9 **Tab 15) City Council**

10  
11 **Vice Mayor Pfister**

12  
13 **Councilmember Hope**

14  
15 **Councilmember Speaks**

16  
17 **Councilmember Smith**

- 18  
19 • Commented that Chief Lane was a good man and was the Chief over both the volunteers  
20 and the paid firefighters.  
21 • Noted on this day in history Prohibition commenced.  
22

23 **Mayor Wolfe**

24  
25 **Adjournment**

26  
27 There was no further business and the meeting was adjourned at 5:00 p.m.  
28

29 Respectfully submitted,  
30

31  
32 Nancy A. Barnett, C.M.C.  
33 City Clerk